


Federal Defenders
OF NEW YORK, INC.NSR SDNY
DOCUMENT
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DATE FILED: 01/04/2024Southern District
81 Main Street, Suite 300, White Plains, NY 10601
Tel: (914) 428-7124 Fax: (914) 948-5109Barry D. Leiwant
Interim Executive Director/
and Attorney-in-ChiefSouthern District of New York
Jennifer L. Brown
Attorney-in-ChargeVia E-mail and ECFThe Honorable Nelson S. Román
United States District Court Judge
Southern District of New York
300 Quarropas Street
White Plains, NY 10601Re: United States v. Gelani Dixon
22 Cr 381 (NSR)

January 3, 2024

To enable Deft. to attend the residential program, Deft's request to adjourn the in-person Sentencing from Jan. 4, 2024 until May 15, 2024 at 9:45 am is GRANTED, without objection by the Gov't, with the imposition of a special condition requirement that Deft. attend residential treatment. Clerk of Court is requested to terminate the motion at ECF No. 41.**Dated: White Plains, NY
Jan. 4, 2024**

SO ORDERED:


HON. NELSON S. ROMAN
UNITED STATES DISTRICT JUDGE

Dear Honorable Román:

I am writing in relation to the VOSR sentencing that is currently scheduled to take place on January 4, 2024. As I am sure Your Honor recalls, on September 27, 2023, Mr. Dixon admitted to violating the terms of his supervised release and his case was adjourned to November 30, 2023 for sentencing. On November 30th, Your Honor held a sentencing hearing and during that proceeding Mr. Dixon expressed interest in attending a residential drug treatment program. In order to facilitate such treatment, Your Honor adjourned Mr. Dixon's sentencing to January 4, 2024. Since that date, Mr. Dixon has attempted to secure placement in a residential drug treatment program. Specifically, Mr. Dixon met with a social worker from my office and in early December Mr. Dixon began the intake process at Samaritan Village. Mr. Dixon completed the screening process on December 8, 2023. Earlier today, Samaritan Village informed my office that Mr. Dixon had been accepted into their residential program in Ellenville, New York. Samaritan Village next asked to talk to Probation, which also occurred today. Through my communications with Probation Officer Erin Weinrauch, my understanding is that Samaritan Village expects to have a bed available for Mr. Dixon on January 11, 2024. Under these circumstances, I ask that Your Honor please adjourn Mr. Dixon's sentencing to allow him to attend this residential program.

I have communicated with Probation Officer Erin Weinrauch, and she asks that if Your Honor postpones Mr. Dixon's sentencing, that the Court (i) impose a special condition imposing a requirement that Mr. Dixon attend residential treatment,¹ and (ii) hold Mr. Dixon's sentencing in abeyance to facilitate

¹ I have attached a proposed order, based on the language requested by Officer Weinrauch, to this letter.

compliance. I have communicated with AUSA Derek Wikstrom and he does not object to this request.

In terms of scheduling, my understanding is that the Samaritan Village program that Mr. Dixon plans to attend would last for a minimum of 90-days, but that could be longer depending on Mr. Dixon's progress and the recommendations of the staff at Samaritan Village.²

Respectfully,

//s

Benjamin Gold
Assistant Federal Defender

cc: AUSA Derek Wikstrom
Probation Officer Erin Weinrauch
Probation Officer Florence Duggan

² In terms of scheduling, I ask that Your Honor please avoid March 25, 2024 through April 4, 2024.